

**MARCH 10, 2008
SPECIAL COUNCIL MEETING
PARMA CITY COUNCIL CHAMBER
6:45 P.M.**

The Special Council Meeting was called to order by President of Council Charles M. Germana presiding:

COUNCIL MEMBERS PRESENT:

SEAN P. BRENNAN
NICHOLAS J. CELEBREZZE
BRIAN DAY
MARY GALINAS
ROY J. JECH
LARRY NAPOLI
KENNETH A. RAMSER
THOMAS J. REGAS
SCOTT M. TUMA

Mrs. Swade - Mr. President, the Roll of Council has been called, and I find a quorum of Council members present.

The following officials and department heads were also present: Mayor Dean E. DePiero, Assistant Law Director Tim Miller, Auditor Dennis M. Kish, Treasurer Anthony C. Zielinski, Service Director Brian Higgins, Safety Director Gregory Baeppler, Chief of Staff Meghann McCall, and Deputy Clerk I Elaine Swade.

NOTICE OF SPECIAL MEETING OF COUNCIL

**THE STATE OF OHIO)
CUYAHOGA COUNTY)
CITY OF PARMA)**

ss. Police Chief Daniel Hoffman

Greetings

WHEREAS, it appears that the public business of this City requires that the Council meet in Special session to consider such business as may come before it, and

WHEREAS, I have convened and do hereby convene said City Council to meet in *Special* session on the 10th day of March A.D. 2008, at 6:45 P.M., eastern daylight savings time, at the Council Chamber in said City, to consider such matters as may come before it as fully and completely as might be done in regular session of said Council: -

THIRD READING:

ORDINANCE NO. 264-07 – An Ordinance authorizing the Director of Public Service to enter into an agreement with the Board of County Commissioners for the construction, operation and maintenance of sewerage systems and for the replacement of water transmission lines within the City of Parma

SUSPENSION OF THE RULES:

RESOLUTION NO. 90-08 - A Resolution approving the City Auditor's Post Certification of requisitions as detailed in Exhibit "A", and declaring an emergency

You are therefore commanded to summon Mayor Dean E. DePiero, Law Director Timothy Dobeck, Auditor Dennis Kish, Treasurer Anthony C. Zielinski, Service Director Brian Higgins, President of Council Charles M. Germana, Sean P. Brennan, Nicholas J. Celebrezze, Brian Day, Mary Galinas, Roy J. Jech, Lawrence Napoli, Kenneth A. Ramser, Thomas J. Regas, Scott M. Tuma Council members and Thomas Mastroianni Clerk of said Council, to meet in *Special* session as aforesaid for the purposes aforesaid.

Hereof fail not and have you then and there this Writ, with your return thereon in what manner you have executed the same.

In testimony whereof, I have hereunto set my hand and caused the Corporate seal of said City to be hereunto affixed, this 7th day of March A.D. 2008

/s/ Charles M. Germana
City of Parma Charles M. Germana President of Council

**CERTIFICATE OF SERVICE
NOTICE OF SPECIAL MEETING OF COUNCIL**

I, Daniel A. Hoffman, Chief of Police of the City of Parma, Ohio, do hereby certify that on March 7, 2008, I received the notices of a Special Meeting of Council, a copy of which is attached hereto, and that in accordance with the instructions given to me, I have served each person named in the notice with the notice either personally or by leaving a copy of such notice and the last of the persons named on the notices was served at his usual place of residence with the notice on March 7, 2008, at 21.05 hours, which date and time is more than twelve hours prior to the time of the Special Meeting.

Signed /s/ Daniel A. Hoffman
Chief of Police,
City of Parma, Ohio.

DISPENSE WITH THE REGULAR ORDER OF BUSINESS

Motion made by Councilman Jech, seconded by Councilman Day, to dispense with the regular order of business and to waive the Rules of Council at this time in order to hold the Special Council Meeting. Motion carried.

LEGISLATIVE COMMENT

Mr. Germana – Asked if anyone from the public would like to comment on any of the legislation that is up for passage this evening.

Mr. Dennis Kamp, 4611 Sarasotta Drive – It appears that Ordinance No. 264-07 will be passed this evening or at the next Council meeting. Asked if the Ordinance explicitly spells out responsibilities, other than the City owns everything and the County will do certain things. Stated, his number one concern is that the City is about to impose a nominal 4-1/2 million dollar tax, assessment levy. He hopes this will not be like the medical fiasco that is going on downtown – that is, get the money and then we will figure out how to spend it. Asked what is going to be done. It should be spelled out. What will the City Engineer, Service Director, and others be doing?

Mr. Martin Drabek, 7696 Cecilia Drive – Stated, he has gone through the contract a number of times. No where in there does it spell out exactly what they are going to do, or when they are going to start. Months ago, we had pictures brought in by the Service Director and City Engineer showing where there were problems. Asked if there will be a study first before the problems are fixed. When do they start? None of this is spelled out in the contract. Stated he thinks we have gotten down to 18 months instead of two years to cancel it, but it has to be after the fiscal year. Asked why isn't the City of Cleveland a part of the County Sewer District.

Mr. Sebastian Tenerillo, 7902 Thornton Drive – Stated, we have gone through this enough. This has to be done. Stated, the residents elected the Council to do the job. Stated, you did the job, now let's get it done. Asked how long are we going to continue this arguing back and forth to see which one is going to pay the most money. If it takes 18 months to do it right, then let's do it right.

LEGISLATIVE COMMENT CONTINUED:

Mr. Ray Rosenberger, 6232 North Canterbury Road - Stated, if you decide to enter into any agreement that is supposed to solve a problem, make sure the agreement references the problem. This agreement does not. Secondly, if funding is needed for the agreement, put it on the ballot. It's the right thing to do.

THIRD READING:

ORDINANCE NO. 264-07

9/4/07

L-264-07

(As amended)

BY: **S. P. BRENNAN**

(By Request – Service Director/City Engineer)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF
PUBLIC SERVICE TO ENTER INTO AN AGREEMENT
WITH THE BOARD OF COUNTY COMMISSIONERS
FOR THE CONSTRUCTION, OPERATION AND
MAINTENANCE OF SEWERAGE SYSTEMS AND FOR
THE REPLACEMENT OF WATER TRANSMISSION LINES
WITHIN THE CITY OF PARMA

Mayor DePiero – Requested that this Ordinance be passed tonight. Thanked the Service Director, City Engineer, Meghann McCall, the Law Director's office, Council, etc., who worked very hard to get these questions addressed in this contract. Thanked members of the public who raised good issues and questions and alerted us of things that should be looked at and answered.

There were questions about what this contract does and does not address. Stated, it is clear with the County Sanitary Engineer about what we're contracted for and what we are getting into at this point. Ours is by far the comprehensive and involved contract. Stated, he feels it is a good contract and spells out what should be done. This is a program that has been used in 30 other communities. Mayor Starr's letter states that they have been doing this for over 20 years, and they have almost full compliance with EPA mandates with their sewers. Mayor Ruby from Brecksville had similar sentiments.

Stated, last week in Public Square a water pipe over 100 years old burst. It shut down businesses and pretty much the center of the City of Cleveland. We have water lines and sewer lines that are very old also. It's just a matter of time before these types of things happen.

One of things that he is proud of since he became Mayor is that we gave the citizens a right to vote on any income tax or property tax. That never existed before. Every time we raise a recreation fee or the fees at the golf course or raise a building permit fee, it would be hard to put that on the ballot because the Council would not be doing their job. You can't run a city like that.

Motion made by Councilman Jech, seconded by Councilman Day, to adopt Ordinance No. 264-07.

Yes: Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan.

No: None; Ordinance No. 264-07 is adopted.

SUSPENSION OF THE RULES:

RESOLUTION NO. 90-08

3/10/08

L-90-08

(Special Meeting)

BY: **S. M. TUMA**

(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S
POST CERTIFICATION OF REQUISITIONS AS
DETAILED IN EXHIBIT "A", AND DECLARING AN
EMERGENCY

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Resolution No. 90-08 on three different days be dispensed with?

Yes: Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan.

No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with and Resolution No. 90-08 be placed on final passage?

Yes: Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan.

No: None; motion carried.

Motion made by Councilman Jech, seconded by Councilman Day, to adopt Resolution No. 90-08.

Yes: Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan.

No: None; Resolution No. 90-08 is adopted.

Mr. Germana – Stated, he admires the fact that on the day Mayor DePiero buried his grandmother, he saw fit to come to this meeting.

ADJOURNMENT

Motion made by Councilman Jech, seconded by Councilman Day, to adjourn said Special Council Meeting. Motion carried.

CERTIFICATION

I, Thomas Mastroianni, Clerk of council for the City of Parma, Ohio, do hereby certify this to be a true and correct copy of the Minutes of the Special Council Meeting held on Monday, March 10, 2008.

THOMAS MASTROIANNI
CLERK OF COUNCIL

CHARLES M. GERMANA
PRESIDENT OF COUNCIL

Meeting adjourned at 7:30 P.M.

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(Minutes completed March 13, 2008)

